

REFUND APPLICATIONS RECEIVED

[Week of March 13 to March 17, 1995]

Date received	Name of refund proceeding/name of refund application	Case No.
3/13/95	Charles William Newell	RF321-21061
3/13/95	Well Treating Service	RG272-35
3/16/95	Skilo Mfg. Inc.	RC272-285
3/17/95	Farmers Co-Op Assn. of Garwood	RG272-36

[FR Doc. 95-11919 Filed 5-12-95; 8:45 am]

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Issuance of Decisions and Orders During the Week of April 10 through April 14, 1995

During the week of April 10 through April 14, 1995 the decisions and orders summarized below were issued with respect to appeals and applications for other relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

Appeal

Natural Resources Defense Council, 4/14/95, KFA-0071

The Natural Resources Defense Council (NRDC) filed an Appeal from a determination issued to it by the Office of Military Application (OMA) of the Department of Energy (DOE). The determination partially denied three Requests for Information which NRDC submitted under the Freedom of Information Act (FOIA). In its Requests, NRDC asked for copies of two documents and various unclassified graphs regarding the force structure of the United States' nuclear weapon stockpile. In its determination, OMA provided NRDC with redacted copies of the two requested documents and further stated that the graphs were being withheld in their entirety since they were contained in another classified document. Since the withheld information was classified, OMA stated that the information was being withheld under Exemptions 1 and 3 of the FOIA. NRDC argued that the two documents it was provided were improperly redacted and that OMA's reason for withholding the graphs was invalid. Additionally, NRDC argued that classified graphs potentially responsive to its requests could be made unclassified by redacting an axis of the graph and provided examples of various responsive graphs which had been released to the public. The DOE determined that under current classification guidelines, additional

information from the two responsive documents could now be released but that the remainder of the withheld information in the documents were properly classified and withheld pursuant to Exemption 3. The DOE also found that it possessed no unclassified graphs other than the ones already in NRDC's possession and that in regard to potentially responsive classified graphs, such graphs were properly classified under the current classification guidelines. Further, the DOE determined that it was impossible to declassify any currently classified graphs by deletion of a particular element of the graph without risking the release of classified information. Consequently, NRDC's Appeal was granted in part.

Refund Application

Charter Co./California, 4/10/95 RM23-288

The DOE issued a Decision and Order granting a Motion for Modification of a previously-approved refund plan filed by the State of California in the Charter Company second stage refund proceeding. California requested permission to reallocate \$300,000 in previously disbursed Charter monies to the Sacramento City Intermodal Transit Access Project. The project is intended to improve connections between different forms of public transit in the Sacramento area. In accordance with prior Decisions that noted the benefits of similar plans, the DOE granted California's Motion.

Refund Applications

The Office of Hearings and Appeals issued the following Decisions and Orders concerning refund applications, which are not summarized. Copies of the full texts of the Decisions and Orders are available in the Public Reference Room of the Office of Hearings and Appeals.

Atlantic Richfield Company/Klein Trucking et al.	RF304-14136	04/14/95
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Gulf Oil Corporation/Walton's Auto Service et al.	RF300-20084	04/14/95
Shell Oil Company/Howard Shell.	RF315-8277	04/14/95
Texas Gas Transmission Corp.	RF272-77212	04/14/95

Dismissals

The following submissions were dismissed:

Name	Case No.
Bacon Towing Co., Inc.	RF272-96133
Drumm Service Center #2	RF321-17133
Herzog Contracting Corp.	RF321-20158
United Coal & Oil Company .	RF321-20179
University of Maine	RF272-77609

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system.

Dated: May 5, 1995.

George B. Breznay,

Director, Office of Hearings and Appeals.

[FR Doc. 95-11921 Filed 5-12-95; 8:45 am]

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Office of Hearing and Appeals

Cases Filed; Week of March 6 Through March 10, 1995

During the week of March 6 through March 10, 1995, the appeals and applications for exception or other relief listed in the Appendix to this Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Under DOE procedural regulations, 10 CFR part 205, any person who will be aggrieved by the DOE action sought in these cases may file written comments on the application within ten days of service of notice, as prescribed in the

procedural regulations. For purposes of the regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first. All such

comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20585.

Dated: May 5, 1995.

George B. Breznay,
Director, Office of Hearings and Appeals.

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS

[Week of March 6 Through March 10, 1995]

Date	Name and location of applicant	Case No.	Type of submission
Mar. 3, 1995	David K. Hackett, Knoxville, Tennessee .	VFA-0032	Appeal of an Information Request Denial. If granted: The February 22, 1995 Freedom of Information Request Denial issued by the Oak Ridge Operations Office would be rescinded, and David K. Hackett would receive access to certain Department of Energy information.
Mar. 6, 1995	Consolidated Edison Company of New York, Inc., New York, New York.	VEA-0006	Appeal from Special Assessment to the Uranium Enrichment Decontamination and Decommissioning Fund. If granted: The written determination issued by the Department of Energy on February 2, 1995 would be rescinded and Consolidated Edison Company of New York, Inc. (Con Ed) would receive a refund of payments made to the Decontamination and Decommissioning Fund, all Con Ed's future obligations would be cancelled and Con Ed's assessment would be adjusted to zero.
Mar. 6, 1995	Albuquerque Operations Office, Albuquerque, New Mexico.	VSO-0023	Request for Hearing under 10 CFR part 710. If granted: An individual whose security clearance was suspended by the Albuquerque Operations Office would receive a hearing under 10 CFR part 710.
Mar. 8, 1995	Eton Trading Corporation, Amarillo, Texas.	VEF-0009	Implementation of Special Refund Procedures. If granted: The Office of Hearings and Appeals would implement Special Refund Procedures pursuant to 10 CFR part 205, subpart V to distribute funds received by the DOE as a result of a December 5, 1986 Remedial Order issued to Eton Trading Corporation.
Do	Oak Ridge Operations Office, Oak Ridge, Tennessee.	VSO-0024	Request for Hearing under 10 CFR part 710. If granted: An individual employed at the Oak Ridge Operations Office would receive a hearing under 10 CFR part 710.
Do	Rodgers Hydrocarbon Corporation, Amarillo, Texas.	VEF-0010	Implementation of Special Refund Procedures. If granted: The Office of Hearings and Appeals would implement Special Refund Procedures pursuant to 10 CFR part 205, subpart V to distribute funds received by the DOE as a result of a July 20, 1989 Remedial Order issued to Rodgers Hydrocarbon Corporation.

REFUND APPLICATION RECEIVED

[Week of March 6 to March 10, 1995]

Date received	Name of refund proceeding/Name of refund application	Case No.
3/6/95	Keller Construction Co	RG272-00032
3/7/95	Airport Texaco	RF321-21060
3/8/95	Wes & Diane Eral	RG272-00033
3/10/95	Conrad Co-Op	RG272-00034

[FR Doc. 95-11918 Filed 5-12-95; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5207-1]

Agency Information Collection Activities Under OMB Review

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected cost and burden.

DATES: Comments must be submitted on or before June 14, 1995. For further information, or to obtain a copy of this ICR, contact: Sandy Farmer at EPA, (202) 260-2740.

SUPPLEMENTARY INFORMATION:

Office of Air and Radiation

Title: New Source Performance Standards (NSPS) for Asphalt Processing and Asphalt Roofing Manufacturers (Subpart UU)—Information Requirements (EPA ICR